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Alexandria, VA 22313-1450		
	! :	
Attn: Examiner A. Elamin		
Group Art Unit 2116		

FROM:	Bernard L. Kleinke, Esq.			
RE:	Applicant: John V. Smith, et al. Title: CONTROL SYSTEM AND METHOD FOR RACK MOUNTED COMPUTER UNITS Patent Application No.: 10/656,024 Filing Date: September 5, 2003			
FILE NO.	7719-115			
DATE:	April 4, 2005			

DESCRIPTION OF DOCU	MENT, COMMENT OR SPECIAL INSTRUCTIO	NS:
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NUMBER OF PAGE	S SENT: 11 (including cover sheet)	

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NO. 574 P. 2

APR 04 2005

Atty. Dkt. No. 7719-115

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

John V. Smith, et al.

Title:

CONTROL SYSTEM AND METHOD

FOR RACK MOUNTED COMPUTER

UNITS

Appl. No.:

10/656,024

Filing Date:

September 5, 2003

Examiner:

Abdelmoniem I. Elamin

Art Unit:

2116

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Date of transphalon: 4-4-2005

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Bernard L. Kleinke

(Signsture)

INFORMATION DISCLOSURE STATEMENT TRANSMITTAL

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing are:

- Information Disclosure Statement Under Statement Pursuant to 37 C.F.R. § 1.56.
- Form PTO/SB/08A with listed references.
- Copy of PCT International Search Report.
- The Commissioner is hereby authorized to charge any additional fees which may be required either now or in the future regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to the Deposit Account No. 502635 of DUCKOR SPRADLING METZGER & WYNNE. Should no proper payment be enclosed herewith, as by a check

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Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

4-4-2005 Date:

DUCKOR SPRADLING METZGER & WYNNE

A Law Corporation

401 West A Street, Suite 2400 San Diego, CA 92101-7915 Telephone: 619.231.3666

Facsimile: 619.231.6629

Email: kleinke@dsmwlaw.com

Respectfully submitted,

Bernard L. Kleinke Attorney for Applicant Registration No. 22,123

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Atty. Dkt. No. 7719-115

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

John V. Smith, et al.

Title:

CONTROL SYSTEM AND METHOD FOR

RACK MOUNTED COMPUTER UNITS

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2116

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Date of Deposit: 4-4.2005

nce is being thesimile transmitted on the I bereby certify that this correspond date indicated above to the United States Patent and Trademark Office, Commissioner for Patenta, P.O. Box 1450, Alexandria, VA 22311-1450, at telephona No. 703-672-9306,

Bernard L. Kleinke

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §1.56

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08A is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR § 1.56.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR § 1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a prima facie art reference against the claims of the present application.

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Atty. Dkt. No. 7719-115

TIMING OF THE DISCLOSURE

The listed documents are being submitted before the mailing date of any final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application, and it is accompanied by the fee set forth in § 1.17(p).

RELEVANCE OF EACH DOCUMENT

Any document listed on the attached PTO/SB/08A was cited as being relevant during the prosecution of the corresponding PCT Application No. PCT/US04/14145. A copy of the PCT International Search Report is attached setting forth the portion of each document considered relevant by the Examiner. Applicants respectfully request that any listed documents be considered by the Examiner and be made of record in the present application and that any initial copy of Form PTO/SB/08A be returned in accordance with MPEP § 609.

CERTIFICATION

The undersigned hereby certifies in accordance with 37 CFR § 1.97(e)(1) that each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office and counterpart foreign application not more than three (3) months prior to filing this statement.

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Atty. Dkt. No. 7719-115

PETITION AND FEE

It is hereby respectfully petitioned that the documents listed on the attached form PTO/SB/08A be considered by the Examiner and formally made of record. A petition fee in the amount of \$180.00 in accordance with 37 CFR § 1.17(p) is enclosed.

Date: 4-4-2005

DUCKOR SPRADLING METZGER & WYNNE A Law Corporation 401 West A Street, Suite 2400 San Diego, California 92101-7915

Telephone No.: (619) 231-3666 Facsimile No.: (619) 231-6629

Email Address: kleinke@dsmwlaw.com

Respectfully submitted,

Bernard L. Kleinke Attorney for Applicant Registration No. 22,123

Atty. Dkt. No. 7719-115

AUTHORIZATION TO PAY AND PETITION FOR THE ACCEPTANCE OF ANY NECESSARY FEES

The Commissioner is hereby authorized to charge any additional fees which may be required either now or in the future regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to the Deposit Account No. 502635 of DUCKOR SPRADLING METZGER & WYNNE. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to the Deposit Account No. 502635 of DUCKOR SPRADLING METZGER & WYNNE. If any charges or fees must be paid in connection with the foregoing, concurrent or future communication (including, but not limited to, the payment of an extension fee or issue fees), or if any overpayment is to be refunded in connection with the above-identified application, any such charges or fees, or any such overpayment may be respectfully paid out of, or into, the Deposit Account No. 502635 of DUCKOR SPRADLING METZGER & WYNNE. If any such payment also requires a petition or extension request, please construe this authorization to pay as the necessary petition or request, which is required to accompany the payment.

Respectfully submitted,

Bernard L. Kleinke

Attorney for Applicant

Registration No. 22,123

Date: 4-4-2005

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Substitute for form 1449/PTO

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

"Complete if Known Application Number 10/858,024 Filing Date September 5, 2003 First Named Inventor Smith, John V. Art Unit 2116 Examiner Name Elamin, Abdelmonlem I. Attorney Docket Number 7719-115

			U. S. PATENT	DOCUMENTS	
Examiner Initiats*	Cite No.1	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant
	A	Number-Kind Code ² (# known)			Figures Appear
		US-6,285,548 B1	09-04-2001	Hamlet, et al.	
	В	US-8,452,809 B1	09-17-2002	Jackson, et al.	
	C	US-6,801,428 B2	10-05-2004	Smith, et al.	
	D	US-2002/0194412 A1	12-19-2002	Bottom	
	Е	US-2003/0051167 A1	03-13-2003	King, et al.	
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FOREIGN PATENT DOCUMENTS							
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Initials*	No.1	County Code ³ Number ⁴ Kind Code ³ (if known)	!	Date MM-DD-YYYY	Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear	۳۰
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This collection of information is required by 37 CFR 1.97 and 1.98. This information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete. including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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